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23 Attorneys for Plaintiffs and all others similarly situated

24 **UNITED STATES DISTRICT COURT**

25 **FOR THE EASTERN DISTRICT OF CALIFORNIA**

26 RONALD C. EVANS, an individual; JOAN
27 M. EVANS, an individual; DENNIS
28 TREADAWAY, an individual; an all others
similarly situated,

Plaintiffs,

vs.

ZB, N.A., a national banking association, dba
California Bank & Trust,

Defendant.

CASE NO.: 2:17-cv-01123-WBS-DB

**STIPULATION AND [PROPOSED]
ORDER ESTABLISHING BRIEFING
SCHEDULE AND HEARING DATE ON
MOTION TO DISMISS**

Complaint Filed: May 26, 2017
Trial Date: None set

STIPULATION

Plaintiffs Ronald C. Evans, Joan M. Evans, and Dennis Treadaway, (collectively, the “Plaintiffs”) and Defendant ZB, N.A., a national banking association, doing business as California Bank & Trust (“CB&T”) (collectively, the “Parties”), by and through their respective counsel of record, enter into the following stipulation (the “Stipulation”).

1. On October 5, 2017, CB&T filed a Motion to Dismiss this Class Action

1 Complaint. The Motion is currently scheduled to be heard by this Court on November 13, 2017
2 at 1:30 p.m.

3 2. Plaintiffs' counsel have informed CB&T of a scheduling conflict and the Parties
4 have met and conferred regarding the need to alter the Motion timing. Based on the Parties'
5 discussion, the Parties agree that Plaintiffs' Opposition shall be filed on November 6th, CB&T's
6 Reply shall be filed on November 20th and the Hearing shall be November 27, 2017 at 1:30
7 p.m., or as soon thereafter as the Court allows.

8
9 **STIPULATED AND AGREED TO BY:**

10 DATED: October 16, 2017

BUCHALTER, A Professional Corporation

11
12 By: /s/ Robert S. McWhorter
13 ROBERT S. MCWHORTER

14 Attorneys for Defendant,
15 ZB, N.A., a national banking association, dba
California Bank & Trust

16 DATED: October 16, 2017

HOLLISTER & BRACE
A Profession Corporation

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19 By: /s/ Michael P. Denver
MICHAEL P. DENVER

20 Attorneys for Plaintiffs and all others similarly
21 situated

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23 I, the filer of this document, attest that each of the other signatories have consented to the
24 filing of this document.

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27 /s/ Michael P. Denver
Michael P. Denver

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ORDER

Based on the Parties' Stipulation, and good cause appearing,

IT IS HEREBY ORDERED THAT:

1. Plaintiffs' Opposition to CB&T's Motion to Dismiss shall be filed November 6, 2017.
2. CB&T's Reply shall be filed November 20, 2017.
3. The Hearing on CB&T's Motion to Dismiss shall be November 27, 2017 at 1:30 p.m.
4. The Scheduling Conference is continued to February 12, 2018 at 1:30 p.m. A Joint Status Report shall be filed no later than January 29, 2018.

Dated: October 17, 2017



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE